

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Very Reverend Georges F. de Laire, J.C.L.

v.

Civil No. 21-cv-131-JL

Gary Michael Voris, et al.

ORDER

During the hearing on the defendants’ motion for summary judgment in this defamation case, it became apparent to the court that additional briefing is needed on an element of the limited-purpose public figure determination.¹ Limited-purpose public figure status depends on a showing that the plaintiff “voluntarily inject[ed] himself or [was] drawn into a particular public controversy.” [Gertz v. Robert Welch, Inc.](#), 418 U.S. 323, 351 (1974); [McKee v. Cosby](#), 874 F.3d 54, 61 (1st Cir. 2017). If the defendant makes that showing, the plaintiff cannot recover for defamation without proving that the defamatory statement was made with actual malice. [Id.](#)

That status, however, pertains only to “‘a limited range of issues’ the scope of which is determined by the nature and extent of [his] participation in the particular controversy giving rise to the defamation.’” [McKee](#), 874 F.3d at 61 (quoting [Gertz](#), 418 U.S. at 351-52). Stated in other terms, to be subject to the enhanced standard applicable to a limited-purpose public figure, the defendant must show that the alleged defamatory

¹ Father de Laire also brings defamation claims against Marc Balestrieri. Default has been entered against Balestrieri. Doc. no. 134.


statement was germane to the plaintiff's role in the controversy. [Berisha v. Lawson](#), 973 F.3d 1304, 1310 (11th Cir. 2020); [Kahl v. Fur. of Nat'l Affs., Inc.](#), 856 F.3d 106, 114 (D.C. Cir. 2017). The public controversy at issue in this case is the dispute between the Saint Benedict Center and Roman Catholic Church governance (the Vatican and the Diocese of Manchester) about "Feeneyism" and *Extra Ecclesiam Nulla Salus* or "Outside of the Church There is No Salvation."

The parties agreed to a list of ten defamatory statements that are the basis for the defamation claim in this case. Doc. no. 138-4. To establish that Father de Laire is a limited-purpose public figure, the defendants must show that the defamatory statements are relevant or germane to the public controversy. The issue of which, if any, of the alleged defamatory statements is relevant/germane to the public controversy was not adequately briefed for purposes of summary judgment.

Conclusion

Therefore, the defendants and the plaintiff shall each file a brief, not to exceed 15 pages, to address the limited-purpose public figure relevance issue with respect to each allegedly defamatory statement **within 10 days of the date of this order.**

SO ORDERED.


 Joseph N. Laplante
 United States District Judge

Dated: June 15, 2023

cc: Howard M. Cooper, Esq.
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